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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,758	01/15/2002	Tu-Yiin Chang	JCLA7847	5138
23900	7590	07/06/2006	EXAMINER	
J C PATENTS, INC.			JAIN, RAJ K	
4 VENTURE, SUITE 250			ART UNIT	
IRVINE, CA 92618			PAPER NUMBER	
			2616	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/047,758

Applicant(s)

CHANG, TU-YIIN

Examiner

Raj K. Jain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities: In the Abstract line 6 replace the word "truck" with "trunk".

Appropriate correction is required.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because;

With respect to Fig. 1, the drawing fails to show network terminal (NT1), trunk (T), central office (CO), terminal equipment (TE), subscribe (S) interface, active layer 1 (ACTL1), generic circuit interface (GCI), as described in the specification.

With respect to Fig. 2, the drawing is objected to for failing to show a trunk interface with a network terminal and network terminal connected to a central office and terminal equipment connected to the subscribe chips via subscribe interface as claimed in claim 1.

With respect to Fig. 4, the following items need to be corrected;

Reference 420, "The first AND gate" should be "The first NOT gate".

Reference 422, "The second AND gate" should be "The second NOT gate".

Reference 416 replace "frequency divider" with "The first frequency divider".

Reference 418 add "The second frequency divider".

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Also, Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated, applicants discloses in the specifications that Fig. 1 is conventional and therefore considered prior art. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled

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"Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claim 1 is objected to because of the following informalities: In line 4 insert "to" after "connected", and in line 7 replace the word "truck" with "trunk".

Claim 1 is objected to because of the following informalities: In line 2 "capable of" does not limit the claim and therefore does not have patentable weight, suggest rewording the preamble to more clearly define the claimed subject matter.

Claim 3 is objected to because of the following informalities: In line 15 "capable of" does not limit the claim and therefore does not have patentable weight, suggest rewording the claim to more clearly define the claimed subject matter.

Claim 10 is objected to because of the following informalities: In line 11 "capable of" does not limit the claim and therefore does not have patentable weight, suggest rewording the claim to more clearly define the claimed subject matter.

Claim 4 is objected to because of the following informalities: In line 11 insert "second" before the second "AND".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, in line 5 the word "manner" is used which is vague and indefinite as it does not limit the claim. One of ordinary skill in the art would not know in what specific "manner" the daisy chain circuit is to be formed for proper operation of the invention as intended by the inventor.

Claims 2-5 are dependent upon rejected independent claim 1 and therefore also stand rejected.

Claim 1 recites the limitation "indication" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "DPLL circuit" in line 5. There is insufficient antecedent basis for this limitation in the claim.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not

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described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recited here in part:

*a plurality of priority selection circuits that are connected each other in a daisy chain circuit manner for sending out a frame-synchronization clock output signal and a data clock output signal;*

*a plurality of trunk chips that are connected to a network terminal via a truck interface, and then connected to a central office via the network terminal for receiving the frame-synchronization clock output signal and the data clock output signal;*

It is not clear from the drawings and or the specifications what constitutes a "priority selection circuit" and "trunk chips" are they the same elements or separate elements. If they are the same elements than it is suggested one of the elements be removed and the limitation be reworded to more clearly define the invention.

Thus based on the drawings and specifications, one of ordinary skill in the art would not be able to perform the invention as claimed and therefore renders the claims as non enabling.

Claims 2-5 are dependent upon rejected independent claim 1 and therefore also stand rejected.

Claims 6 - 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to

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which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 6 and 10 recited here in part;

*when one external line is called, the priority selection circuits choose a priority selection circuit and a chip having the highest priority, from the priority selection circuits and the trunk chips, and activate a layer 1 of the trunk chip to provide a synchronization clock source that is synchronous to a central office.*

It is not clear from the drawings and or the specifications how the “priority selection circuit **chooses** a priority selection circuit” and which “chip” is being chosen (trunk chip or subscribe chip). Furthermore, it is not clear what constitutes “layer 1” whether this is the same as OSI/ISO layer architecture, this is not described in the specifications. Thus based on the drawings and specifications, one of ordinary skill in the art would not be able to perform the invention as claimed and therefore renders the claims as non enabling.

Claims 6-13 are dependent upon rejected independent claims 6 and 10 and therefore also stand rejected.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.

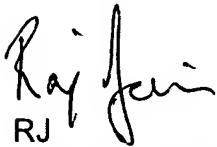


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the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-

2600.

A handwritten signature in cursive script, appearing to read "Raj Jain".

RJ

June 26, 2006